

AVOIDING & MINIMIZING IMPACTS

- **Donlin Advisory, Technical Review, and Oversight Committee (DATROC)**
 - Calista Corporation, Kuskokwim Corporation & Donlin
 - Subcommittees on Barging and Subsistence
 - Local native community representation
 - Communication, outreach, meetings, planning
- **Design Features**
 - Implement recommendations of the Mt. Polley Review Panel
 - Barging Grounding Response Plan
 - Crooked Creek Aquatic Resources Monitoring Plan
- **Best Management Practices**
- **Mitigation Measures**
- **Monitoring and Adaptive Management**

Deliberative Process / Ex. 5

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CWA 404(q) DISPUTE RESOLUTION

- CWA § 404 PN issued concurrent with the DEIS in 2016
 - EPA submitted a CWA § 404(q) 3(a) letter on May 31, 2016 and 3(b) letter on June 27, 2016
- Revised § 404 application submitted December 2017, includes revised PJD and CMP
- SPN issued 4/27/18, concurrent with the FEIS, soliciting comments only on the CMP. Comments due May 29, 2018

Deliberative Process / Ex. 5

CWA 404/COMPENSATORY MITIGATION

- Unavoidable direct, permanent impacts: 2,053 acres of wetlands and 156,755 linear feet (29.7 mi) of streams
- No compensation proposed for 1,753 acres of direct, life-of-mine "temporary" impacts, or for secondary impacts (e.g., Crooked Creek flow losses up to 100%)
- Permittee Responsible Mitigation proposed
 - Stream restoration in Crooked Creek watershed
 - Preservation in Chuitna River watershed
- Alaska District Credit/Debit Method not used - no functional assessment included

Deliberative Process / Ex. 5

CWA 404: A PATH FORWARD, 1

Deliberative Process / Ex. 5

CWA 404: A PATH FORWARD, 2

- 2.3-mile long two-phase cutoff wall along Crooked Creek during mine construction. (approx. \$20M cost)
 - Donlin proposing as adaptive measure, included in FEIS
- Freshwater pipeline from Kuskokwim River. (\$39M-\$88M cost)
 - Donlin proposing as adaptive measure, not analyzed in FEIS
- Additional compensation to fully offset impacts. (>\$3M cost)
 - Donlin proposing compensation, not analyzed in FEIS

Deliberative Process / Ex. 5